

DAVID COOPER  
PLAINTIFF,

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V.

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CASE NO. 2:06-cv-418-MHT

DR. NICHOLS et al,  
DEFENDANTS

U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

PLAINTIFF RESPONSES AND ANSWERS TO DEFENDANTS  
SPECIAL REPORT ANSWER TREATED AS MOTION FOR  
SUMMARY JUDGMENT

Comes now, the plaintiff, pro se, in the above style manner, pursuant to F.R.Civ-p. 56. Plaintiff, responses and answer to defendants special report answer treated as motion for summary judgment.

INTRODUCTION ONE

Defendants has filed a special report answer treated responses is that plaintiff, defense is stronger than they think. See all Exhibits which clearly shows that all defendants has perjury themselves except nurse miller, however, the plaintiff will definitely file a motion for production of documents regarding her job application, and a copy of her summarizing on discharge regarding why she left a good position for a corrupted job here, and to see if she have a bad discharge from her previous job

DEFENDANTS ALLEGATIONS Two

plaintiff, states that nurse m. miller, DR, Nichols, Gail Colburn, and Donna Coney, defendants did contribute to violating the plaintiff, eighth amendment right of the federal U.S. Constitution deliberately and has perjury themselves trying to coverup their false deeds, plaintiff, further states that defendants deliberately cause indifference to plaintiff, heart and prostate problem see exhibits - 3, 4, regarding Prostate Hypertroph Cancer, and anyone with common sense would know automatically that surgery is needed immediately. Plaintiff, further states that exhibit - 5 thru 10, will simply prove that plaintiff was in the process of getting his third heart surgery, when his mental illness kick in, see also exhibit - 5 paragraph 4, which clearly shows states aortic valve needs replacement aware and again on exhibit - 8, as stated will carefully replace and Plaintiff, cannot read the entire statement, and that he was treated at Baptist hospital with not just one doctor, but a team of doctors who plaintiff will certainly supposes all doctors in his behalf to jury trial who will clearly witness to this honorable Court in plaintiff, behalf, plaintiff, states that he has his medical records which do have some errors on them regarding his true date he was treated as to which he is going to request documents from the state of florida, medicare financial office which DR. nichols can't deceive that entire state into their favor, but this report will clearly show the date of treatment as to which he paid them with his emergency medicare card after he was released on Feb 8, 2006, from north

Broward Hospital person gave a false statement stating that Plaintiff, voiding all problems there is no way this statement could be true, because Plaintiff was released on Feb 8, 2006, one month different, however, if defendants had any dealing trying to damages Plaintiff, lawsuit with some friends of theirs who work there, it is still not a problem because the truth will ultimately prevail in the end.

### PLAINTIFF ANSWERS TO DEFENDANTS ALLEGATION

Plaintiff states that he is very strong regarding being a good candidate for Civil Rights and strongly support the Federal U.S. Constitution as to which this country was establish on. Plaintiff states that the 1983 lawsuit policy as he see it regarding what was placed on it, doesn't state anything regarding prison litigation reform act, however, plaintiff states that he is not a prisoner, or in prison, but simply in jail and who is a pre-trial detainee at the Montgomery County Detention facility hereafter M.C.D.F. who is not sentence yet nor do the prison litigation reform act, effect plaintiff, at all. Plaintiff further state that what defense attorneys has just cited is unacceptable.

### SWORN STATEMENT THREE

Plaintiff states that due to him being indigent and this jail charge 50.¢ per copy he can't afford to get papers notarize, but he is willing to swear in court including but not limited his witness who will also testify in this honorable court to the truth and will swear on the declaration of perjury including plaintiff real truth.

### STATEMENT OF FACTS AND ANSWER TO ALL NUMBER

5) Plaintiff also states that he received this medication from CVS in Florida as to which he can get information from CVS anywhere in this country because he is on the Computer System.

6) Plaintiff will also seek to get a copy of nurse m. miller, job application at Southern Health INC, 3712 Ringold Rd. Suite 364, Chetanooga, TN. 37412 including all jobs in Montgomery Alabama, to see whether she has a bad discharge she was fired to resign for poorest job performance and a Summarying on her discharge.

7) Plaintiff also listen to defense attorneys who stated that nurse m. miller last day on this job was Feb 28 2006, However, Plaintiff have a witness by the name of Michael Ferguson, 84391, who will testify under oath at Court that on or around May 15, 2006, he try to get nurse miller, names for Plaintiff, and she wouldn't give her name and who was waiting on Diabetics approximately 5.00 A.M. that morning.

8) Plaintiff also states that there is't any emergency medical treat ment. See inmates rule book, which is a exhibit already filed in this Court. Plaintiff, further stated that medical only call sick-call inmates to medical when the doctor is here so they received 10.00 Charge each visit.

9) Plaintiff states that he had to suffers regarding his prostate problem, which now is cancer from 5-13-06, and up to 5-17-06, 5-17-06, Plaintiff was started back on his medication due to Plaintiff, ran out of his personal medication.

10) Plaintiff, also states that he had a bladder infection in Florida which cause Plaintiff, to have a IV catheter gauge in him approximately two days in Florida from north Broward medical center, and wore it and stated in Broward County Outreach Center 1700. Blount Rd. Pompano beach, (4)

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Dariusz S. Plonka  
of the defendants ever do routine sick-call inside the housing units. See exhibit-18, this statement is purely fabrication and Plaintiff have witness who are just willing to swear in court under oath, under perjury to these lies. However, Plaintiff, states that all activity regarding medical treatment are done in the medical area of this M.C.D.F. The defendants sworn affidavits get caught lying Plaintiff, will seek charges for perjury themselves and obstructions of justice Plaintiff, is fighting for his rights and life.

2) Plaintiff states that on 4-8-06 at approximately 6.00 a.m. his medication was transfer here to M.C.D.F. from the city jail requesting a Deputy whose name is unknown, Plaintiff states that nurse M. Miller, received Plaintiff, medication as stated previously fail to give Plaintiff, his medication, on 4-8-06, even after Plaintiff, requested it

3) Plaintiff, then asked nurse Miller, on 4-9-06, approximately 5.00 a.m in the morning to please give him his medication and she stated she only do Diabetics at thought approximately 600 inmates are at M.C.D.F.

4) Plaintiff also ask nurse Dees, to give him his medication approximately 9.30 a.m. on 4-9-06, who also stated that she didn't have it. Plaintiff stated he was going to file a grievance, ms, Dees, response was I don't care so Plaintiff, file a grievance and took it to the Deputy who was assigned to this unit, she read the grievance, and call medical and then he was called out to take a physical who then gave Plaintiff his own prescription medication approximately at 3.00 p.m.



Chapel is the one who helped Plaintiff, get his prescription filled at another health facility for low income peoples.

Plaintiff, sure that of this court order this nurse to respond in writing she will certainly answer because she no plaintiff situation including seeing a nurse prescription have plaintiff, on Feb the true dated plaintiff, came there on the coldest night in Florida their records will verify the truth, the plaintiff, think that DR. Nicholas have friends in that hospital who lie on hospital report.

11) Plaintiff, stated that he didn't have a idea that he had pro state Hypertroph Cancer, see exhibit-3, 4, until he sent for records at north Broward medical center only since he had been in this facility.

12) Plaintiff, further states that it was approximately Feb. 10, 2006, when he was seen by north Broward medical center, and that his medical financial office report will reveal the truth.

13) Plaintiff, states that April 9, 2006, nurse Dees, and nurse Burkett, was the ones who seen him, and not Rosie Orum R.N.

14) Plaintiff, states that he do have a problem with gonorrhea and syphilis and the only thing wrong with plaintiff eyes is he needs his glasses which are at the city jail in his property.

15) See exhibit 12, regarding political problem also see exhibit-5, 6, 8, 12.

16) Plaintiff states that DR. Nicholas, didn't order any medication on 4-9-06, and if he continue to sides this Plaintiff will request a production of documents from their Drug Store to see the truth.